

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

LARRY EUGENE SCHRADER,

Plaintiff,

No. 3:10-cv-6287-JE

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation (#15) on February 23, 2012, in which he recommends that this Court reverse the Commissioner's decision denying plaintiff's application for disability insurance benefits, and remand the action to the agency for an award of benefits.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, I am relieved of my obligation to review the record *de novo*. United States v.

Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Jelderks's Findings & Recommendation [15]. Accordingly, the Commissioner's decision is reversed and this action is remanded for an award of benefits.

IT IS SO ORDERED.

DATED this 2nd day of April, 2012.

s/Marco A. Hernandez
MARCO A. HERNANDEZ
United States District Judge